

REMARKS

The Official Action of October 6, 2008 has been carefully reviewed. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

No claims have been amended. The claims under consideration are Claims 23-37.

1. Restriction Requirement

Under 35 U.S.C. 121 and 372, the Examiner required restriction among:

Group I, claims 23-29, 30 and 33-37, drawn to compounds of formula I, wherein  $k=1$  and  $j=0$ , composition and method of use.

Group II, claims 23-37, drawn to compounds of formula I, wherein  $k=0$  and  $j=1$ , composition and method of use.

Group III, claims 23-29 and 33-37, drawn to compounds of formula I, wherein  $k=1$  and  $j=1$ , composition and method of use.

In response to this requirement, the Applicants hereby elect Group II, Claims 23-37 drawn to compounds of formula I, wherein  $k=0$  and  $j=1$ , composition and method of use, without traverse.

The claims reading on this group are Claims 23-37.

This election is being taken without prejudice to the filing of a divisional application directed to the non-elected subject matter. In accordance with the third sentence of 35 U.S.C. § 121, a patent issuing from the instant application should not be a reference against a divisional application filed before the issuance of such patent.

Applicants respectfully contend that the application is allowable and a favorable response from the Examiner is earnestly solicited.

Respectfully submitted,

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